

Serial No. 10/715,022
Response filed November 13, 2006
Response to Office Action Mailed August 11, 2006

Filed: January 2, 2004

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REMARKS

Claims 36-66 are pending in the present application. Claims 1-35 have been canceled. No new matter has been added. Favorable reconsideration and allowance of the present application are respectfully requested.

Claim Objections

Claims 25 and 29-33 were objected to. Claims 25 and 29-33 have been canceled rendering these objections are moot.

Claim rejections pursuant to 35 U.S.C. §112 second paragraph

Claims 5-9, and 17-20 were rejected pursuant to 35 U.S.C. § 112 second paragraph as being indefinite. Claims 5-9 and 17-20 have been canceled rendering these rejections moot.

Claim rejections pursuant to 35 U.S.C. § 103(a)

Claims 1-22, 25, 32, and 35 were rejected pursuant to 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent Publication No. 20020055351A1 to Elsey et al. (hereinafter referred to as "Elsey"), in view of U.S. Patent Publication No. 20020049907A1 to Woods et al. (hereinafter referred to as "Woods"). Also, Claims 23, 24, 29, 30, 33 and 34 were rejected pursuant to 35 U.S.C. § 103(a) as being unpatentable over Elsey, in view of Woods, and further in view of U.S. Patent Publication No. 20020068551A1 to Strunk et al. (hereinafter referred to as "Strunk"). In view of the amendments to the claims and the following remarks, Applicant respectfully traverses these rejections since a *prima facie* case of obviousness in view of the cited references can no longer be supported.

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Independent Claim 36 describes a method that includes the step of receiving from a wireless terminal a contact information request with an information assistance application located on an information assistance server, wherein the contact information request is a request for an information record associated with a subscriber terminal that is other than the wireless terminal. None of the cited references, either alone or in combination, teach or suggest a contact information request from a wireless terminal that is a request for information associated with a subscriber terminal that is other than the wireless terminal as described in Claim 36.

Claim 39 describes a response that comprises a multi-modal message that includes a voice-based response and a text-based response. On page 5 of the office action mailed August 11, 2006 official notice was taken that "the concept and feature of multi-modal messaging capability is well-known to one of ordinary skill in the art at the time of invention." Applicant respectfully traverses this taking of official notice since multi-modal messaging in the context of the described invention is not common knowledge in the art capable of instant and unquestionable demonstration as being well-known as evidenced by the lack of Applicant's knowledge of such a multi-modal response in the context of the claimed invention, and the lack of any evidence in the record to support such an assertion. (see MPEP 2144.03(B)) Applicant respectfully requests that documentary evidence or an affidavit or declaration be provided to support this assertion. "If the examiner is relying on personal knowledge to support the finding of what is known in the art, the examiner must provide an affidavit or declaration setting forth specific factual statements and explanation to support the finding." (see MPEP 2144.03(C) and 37 CFR 1.104(d)(2)).

Independent Claim 48 describes a computer program that includes a code segment that receives a contact information request for an information item associated with a subscriber

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terminal, the request generated with a wireless terminal that is other than the subscriber terminal by a requestor that is other than a user of the subscriber terminal. None of the cited references, either alone or in combination, teach or suggest a contact information request generated with a wireless terminal for an information item associated with a subscriber terminal. Further, none of the cited references, either alone or in combination, teach or suggest that the wireless terminal is other than the subscriber terminal by a requestor is other than a user of the subscriber terminal.

Independent Claim 59 describes a system that includes an information assistance application server operable to run an information assistance application that is configured to receive a contact information request from a wireless terminal for an information item associated with a subscriber terminal other than the wireless terminal. None of the cited references teach or suggest an information assistance application configured to receive a contact information request from a wireless terminal for an information item associated with a subscriber terminal that is other than the wireless terminal.

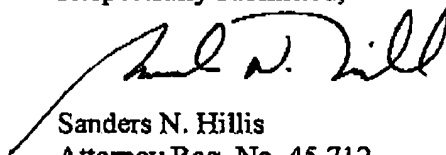
Independent Claim 66 describes a system that includes means for interpreting a contact information request for a contact information record of a subscriber terminal, the contact information request receivable from a wireless terminal that is other than the subscriber terminal. None of the cited references either alone or in combination teach or suggest means for interpreting a contact information request for a contact information record of a subscriber terminal as described in Claim 66. In addition, none of the cited references teach or suggest that the contact information request is received from a wireless terminal that is other than the subscriber terminal as also described in Claim 66.

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Claims 36-66 are clear and definite, and for at least the foregoing reasons, are patentable over the cited references. Accordingly, Applicant believes that the present pending claims of this application are allowable and respectfully requests the Examiner to issue a Notice of Allowance for this application. Should the Examiner deem a telephone conference to be beneficial in expediting allowance/examination of this application, the Examiner is invited to call the undersigned attorney at the telephone number listed below.

Respectfully submitted,



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